

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BLACKIE FLORINCEO ALVAREZ SR.,
Plaintiff,
v.
GRAY REDMAN, *et al.*,
Defendants.

Case No. 2:21-cv-01932-JDP (PC)
ORDER GRANTING IN PART PLAINTIFF'S
MOTION FOR AN EXTENSION OF TIME
AND DENYING PLAINTIFF'S MOTION
FOR AN APPOINTMENT OF AN
INVESTIGATOR
ECF Nos. 6 & 8

Plaintiff has filed a motion for a ninety-day extension of time to file an amended complaint. ECF No. 6. Good cause appearing, this motion is granted in part.

Plaintiff also filed a motion for the appointment of an investigator. ECF No. 8. Section 1915 does not authorize or require federal courts to finance or subsidize a civil action or appeal by paying expert fees or other costs. *See Hadsell v. Comm'r of IRS*, 107 F.3d 750, 752 (9th Cir. 1997); *Dixon v. Ylst*, 990 F.2d 478, 480 (9th Cir. 1993). The expenditure of public funds on behalf of an indigent litigant is proper only when authorized by Congress. *See United States v. MacCollom*, 426 U.S. 317, 321 (1976); *Tedder v. Odel*, 890 F.2d 210, 211 (9th Cir. 1989).

Plaintiff has not shown any Congressional authority for the appointment and payment for a private investigator for him. *See Khademi v. South Placer Co. Jail*, No. 2:21-cv-1498 KJM-DB P, at *1 (E.D. Cal. Oct. 18, 2021) ("[T]he court is aware of no authority permitting it to provide plaintiff [a state prisoner proceeding pro se] an investigator.").

1 Accordingly, it is hereby ORDERED that:

2 1. Plaintiff's motion for an extension of time, ECF No. 6, is granted in part.

3 2. Plaintiff is granted thirty days from the date of this order to file an amended complaint.

4 3. Plaintiff's motion for the appointment of an investigator, ECF No. 8, is denied.

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6 IT IS SO ORDERED.

7 Dated: June 14, 2022

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9 JEREMY D. PETERSON
10 UNITED STATES MAGISTRATE JUDGE

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